

JC854 U.S. PTO
06/16/00

06-19-00

**NON-PROVISIONAL
UTILITY PATENT APPLICATION
TRANSMITTAL - 37 CFR 1.53(b)**

☐ Duplicate
(check, if applicable)

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, DC 20231

Attorney Docket No. 10147-11U1 (MBIO99-054)
First Named Inventor: Susan J. Kirst
Express Mail Label No. EL471633143US
Total Pages of Transmittal Form: 2

A
JC857 U.S. PTO
09/596194
06/16/00

Transmitted herewith for filing is the non-provisional utility patent application entitled:

**NOVEL GENES ENCODING PROTEINS HAVING DIAGNOSTIC,
PREVENTIVE, THERAPEUTIC, AND OTHER USES**

which is:

an ☐ Original; or

a ☐ Continuation, ☐ Divisional, or ☒ Continuation-in-part (CIP)
of prior Application No. 09/342,364, filed June 29, 1999.

☐ This non-provisional patent application is based on Provisional Patent Application
No. &@, filed &@.

Enclosed are:

- ☒ Specification (including Abstract) and claims: 191 pages.
- ☒ Non-executed Declaration.
- ☐ Copy of Declaration from prior application.
- ☐ Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).
- ☒ 109 sheets of drawings (formal).
- ☐ Microfiche computer program (Appendix).
- ☒ Nucleotide and/or Amino Acid Sequence Submission, including:
 - ☒ Computer readable copy ☒ Paper Copy (86 pages) ☒ Verified Statement.
- ☐ Under PTO-1595 cover sheet, an assignment of the invention.
- ☐ Certified copy of &@ Application No. &@, filed &@, is filed:
 - ☐ herewith or ☐ in prior application &@.
- ☐ Verified Statement Claiming Small Entity Status under 37 CFR 1.9 and 1.27.
 - ☐ was filed in the prior non-provisional application, and such status is still proper and desired (37 CFR 1.28(a));
 - ☐ is enclosed herewith; ☐ is no longer desired.
- ☐ Preliminary Amendment.
- ☐ Information Disclosure Statement, PTO-1449, and cited references.

The filing fee has been calculated as shown below:

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE:			BASIC FEE:	
			\$345			\$690	
Total	23-20 =	3	X9	\$	OR	X18	\$ 54
Independent	2- 3=	0	X39	\$	OR	X78	\$ 0
Multiple Dependent Claims Present: 0			\$130	\$	OR	\$260	\$ 0
			TOTAL	\$	OR	TOTAL	\$ 0*

*** Note: The filing fee is not being paid at this time.**

The Commissioner is hereby authorized to charge payment of the following fees or credit any overpayment to Deposit Account No. 50-1017. One additional copy of this sheet is enclosed.

- ☐ The above calculated filing fee \$ 0.
- ☐ Any additional fees required under 37 C.F.R. § 1.16.
- ☒ Any additional fees required under 37 C.F.R. §1.17.
- ☒ If the filing of any paper during the prosecution of this application requires an extension of time in order for the paper to be timely filed, applicant(s) hereby petition(s) for the appropriate extension of time pursuant to 37 C.F.R. §1.136(a).

CORRESPONDENCE ADDRESS:

June 16, 2000
(Date)

By: _____

Gary D. Colby

Registration No. 40,961

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.

One Commerce Square

2005 Market Street - Suite 2200

Philadelphia, PA 19103

Telephone: 215-965-1200

Facsimile: 215-965-1210

E-Mail: GColby@akingump.com

Direct Dial: 215-965-1285

☒ Customer Number or Bar Code Label: **000570**

Enclosures

EXPRESS MAIL LABEL **EL471633143US**

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of Susan J. Kirst et al. :
Serial No.: Not Yet Assigned :
Filed: Herewith :
For: NOVEL GENES ENCODING PROTEINS : Attorney Docket
HAVING DIAGNOSTIC, PREVENTIVE : No. 10147-11U1 (210147.0025)
THERAPEUTIC, AND OTHER USES : (MBIO99-054)

JC857 U.S. PTO
09/596194
06/16/00

**STATEMENT TO SUPPORT FILING AND SUBMISSION
IN ACCORDANCE WITH 37 CFR §§ 1.821 THROUGH 1.825**

- (X) I hereby state, in accordance with the requirements of 37 C.F.R. §1.821(f), that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §1.821(c) and (e), respectively are the same.

Respectfully submitted,

SUSAN J. KIRST et al.

By: 

GARY D. COLBY, Ph.D., J.D.

Registration No. 40,961

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.

One Commerce Square

2005 Market Street - Suite 2200

Philadelphia, PA 19103-7086

Telephone: 215-965-1200

Direct Dial: 215-965-1285

Facsimile: 215-965-1210

E-Mail: GColby@akingump.com